

## **DEVELOPMENT PLAN**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

### **Unitary Development Plan - current status**

The Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

## **STANDARD CONDITIONS**

Sections 91 and 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration.

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (General Development Procedure) Order 1995.

## **LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION**

The background papers material to the reports included on this agenda are:

- The application and supporting reports and information;
- Responses from consultees
- Representations received;
- Correspondence between the applicant and/or their agent and the Local Planning Authority;
- Correspondence between objectors and the Local Planning Authority;
- Minutes of relevant meetings between interested parties and the Local Planning Authority;
- Reports and advice by specialist consultants employed by the Local Planning Authority;
- Other relevant reports.

Please note that not all of the reports will include background papers in every category and that the background papers will exclude any documents containing exempt or confidential information as defined by the Act.

These reports are held on the relevant application file and are available for inspection during normal office hours at the Development and Regeneration Directorate Services in the Civic Centre.

Philip J. Barrett

Director of Development and Regeneration Services.

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1.

**South  
Sunderland**

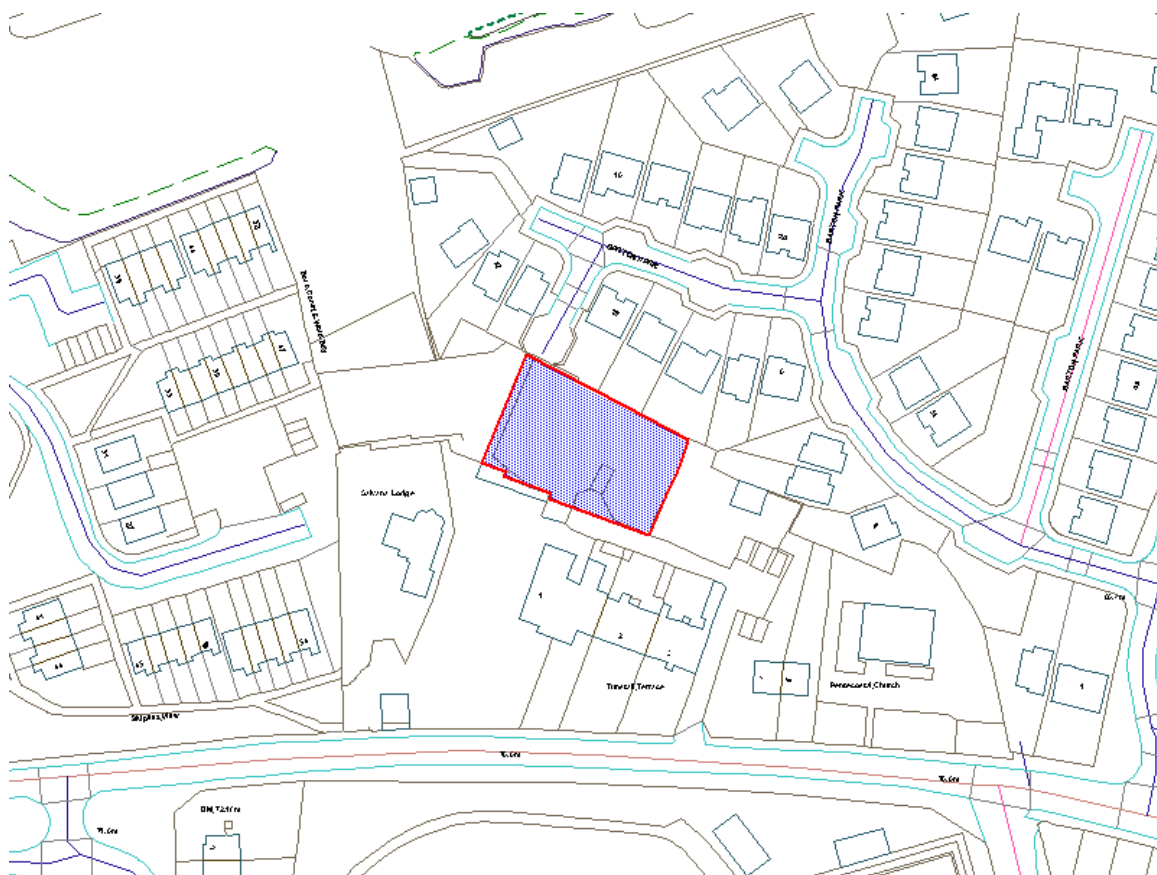
**Reference No.:** 08/04460/FUL Full Application

**Proposal:** **Erection of 4 dwelling houses with associated access taken from Barton Park.**

**Location:** Land To The Rear Of Tunstall Terrace Ryhope Sunderland

**Ward:** Ryhope  
**Applicant:** Mr Gary Hepple  
**Date Valid:** 6 August 2009  
**Target Date:** 1 October 2009

### Location Plan



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### PROPOSAL:

Planning permission is sought to erect 4no. semi-detached dwellings on a currently vacant site. Each dwelling would be two-storeys in height and would incorporate an additional habitable floor in the roof space. The height of each dwelling was originally proposed at 9.1m to ridgeline with 1no. dormer in the front and rooflights in the rear of the roof. However, amended plans were subsequently received proposing a height of 8.35m to ridgeline, a single dormer

in the rear and a rooflight in the front of the roof of each dwelling. The eaves of the dwellings would allow a clearance of 5.1m from ground level and the roof would be of a gabled style. Three bedrooms would be incorporated into each dwelling and each pair of semis would measure 9.4m in width (to be evenly divided) and 8.9m in depth, with handed 2.3m wide gabled porches projecting 500mm beyond the front building lines.

Access to the proposed dwellings is proposed via a 13m long southward extension to Barton Park, at the end of which a hammerhead would be incorporated. A total of 5no. parking spaces would be provided, 1no. for each proposed dwelling in addition to a visitor space to be incorporated to the north of the site. This arrangement superseded a previously proposed arrangement of 4no. unsuitably located spaces.

The site lies within a predominantly residential area. It comprises an area of disused former allotment land which divides the Barton Park estate to the north and Tunstall Terrace, off Tunstall Bank, to the south. The site is currently accessed via a gated, but damaged, entranceway off the rear alleyway of Tunstall Terrace and steel palisade fencing divides the site from Barton Park. An outbuilding, various mounds of rubble and building materials can be found within the site, which slopes notably upward from west to east and is raised above the ground level of several properties in Barton Park. Trees exist in the rear gardens of a number of the properties in Barton Park which border the application site. The site is bordered by timber fencing, the western section of which is damaged and appears to have been recently repositioned.

There is no record of any previous planning applications relating to this site.

Whilst applications of this nature would normally be determined under delegated powers, a letter was submitted by Councillor D. R. Wares on 28.08.2009 requesting that the application be referred to the Development Control Sub-Committee.

#### **TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Northumbrian Water  
Director Of Community And Cultural Services

**Final Date for Receipt of Representations: 04.09.2009**

## REPRESENTATIONS:

The LPA have received representations from residents of nine neighbouring properties as well as a letter on behalf of the Church Commission and a petition signed by residents of thirteen properties in Barton Park (this was only circulated amongst the properties which the resident who submitted the petition felt would be directly affected by the proposal). The concerns raised within these representations are summarised as follows:

- Numerous ownership issues were raised and, accordingly, the application was made invalid. The applicant subsequently provided the requisite notice by way of local advertisement published in the Sunderland Echo and signed Certificate C, in accordance with the protocol provided by the Town and Country Planning (General Development Procedure) Order 1995 (GDPO) for situations where some or all of the site is of unknown ownership. Notwithstanding the provision of the GDPO, it should be noted that the issue of ownership is strictly a civil matter.
- The proposed development would encroach into a section of the alleyway running along the rear of Tunstall Terrace which is used as a vehicular turning area. However, it should be noted that this alleyway is not adopted highway, so would not require a stopping-up, and, as per the previous point, any encroachment into this land a civil matter.
- Barton Park comprises exclusively of two-storey detached executive-style properties, contrary to a statement made in the applicant's Design and Access Statement and, as such, the proposed semi-detached properties comprising three floors are not in-keeping with those which exist within the street.
- The proposed dwellings would overlook the gardens of nos. 8, 9 and 10 Barton Park and the living area of no. 10, to the detriment of the privacy of residents of these properties, and that the proposed dwellings, by means of their height and raised ground levels, would overshadow properties on Barton Park and would appear overbearing when viewed from the curtilage of these properties.
- The proposed parking arrangement is not sufficient to cope with the ensuing increase in the number of cars using Barton Park, which would have a negative impact upon the estate by exacerbating existing congestion problems. Access to the site is poor and the access of emergency service vehicles would be compromised by the proposal.
- Development work would cause disturbance to residents of Barton Park and could pose a danger, particularly to small children. In addition, Barton Park would be used as an access for construction vehicles which would leave dirt on the street.
- The application indicates that there are no trees on adjoining properties, however the rear gardens of properties on Barton Park which adjoin the application site all have trees and shrubs along their boundaries and the proposed development may result in damage to this planting. These issues were brought to the applicants attention and, accordingly, the former matter was addressed with the amended site plan received

17.09.2009, which indicates the positions of trees to the rear of nos. 8, 9 and 10 Barton Park. Grievances have also been expressed over the number of trees which were removed from site prior to the submission of the application.

- The proposal would represent an over-development of the site; residents are generally of the opinion that, should the site be developed for residential use, this should be limited to 2no. detached dwellings.
- Concerns have been expressed over the LPA and applicants lack of consultation with local residents. However, the correct notification has been provided by the LPA, in accordance with the requirements as set out in the GDPO, in the form of letters to neighbouring residents and the erection of site notices and The Validation of Applications in Tyne and Wear checklist states that a Statement of Community Involvement will normally only be required for major development applications. Given that the proposal is for fewer than 10no. houses, and is therefore classed as a 'minor' development, the LPA were unable to insist upon such a level of consultation to be undertaken by the applicant in this instance.
- The proposed development would compromise the ability of nos. 8, 9 and 10 Barton Park to extend in the future.
- Surface water drains would have to be adopted by Northumbrian Water.
- Construction work within such close proximity to the boundary of no. 9 Barton Park, particularly by using scaffolding, would render the rear garden of this property unusable during this time.
- The proposal would adversely affect local property values and the saleability of properties within the area. However, this is not a material planning consideration and, as such, shall not influence the determination of this application.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

B\_2\_Scale, massing layout and setting of new developments  
B\_24\_Appropriate provision for utility services in building development  
CN\_17\_Tree Preservation Orders and replacement of trees  
CN\_18\_Promotion of nature conservation (general)  
CN\_22\_Developments affecting protected wildlife species and habitats  
CN\_23\_Measures to conserve/ improve wildlife corridors  
EN\_1\_Improvement of the environment  
EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood  
EN\_14\_Development on unstable or contaminated land or land at risk from landfill/mine gas  
H\_1\_Provision for new housing  
H\_4\_Density of housing development to at least reflect that of the locality  
L\_7\_Protection of recreational and amenity land  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

## **COMMENTS:**

The main issues to be considered in assessing the application are the principle of the residential development of the site, the scale, external appearance and layout of the proposed dwellings, residential amenity, the highway implications of the proposal and any potential impact upon existing trees and local wildlife (particularly protected species).

## **PRINCIPLE**

The site in question is not allocated for any specific land use by the UDP and, as such, is subject to policy EN10. This policy dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain. Therefore, proposals for development in such areas must be compatible with the principal use of the neighbourhood. Given that the area is predominantly residential in character and the site is situated between, and adjoins, 2no. residential areas the proposal complies with policy EN10.

Given that the site was formerly used as an allotment, policy L9 of the UDP is also applicable in this instance, which states that land used for allotments will be retained for this purpose except where:

- (i) alternative provision is made in the locality;
- (ii) the site is allocated for another purpose elsewhere in the plan;
- (iii) the site is identified by the Council as surplus to requirements;
- (iv) a site has become disused or significantly under used through lack of local demand. In this case the Council will give prior consideration to the need for public open space or other recreational uses of the site.

Use of allotments for business/industrial purposes will be resisted.

Being formerly used as allotments, the site is classified as Greenfield land, having regard to Annex B of PPS3). However, its location and closed access from the nearby open space, namely the Ryhope Golf Course, makes the site somewhat unsuitable for recreational use, nor does it appear likely that it will be re-established as an allotment in the foreseeable future.

Policy R1 of the UDP states that proposals `will be considered in relation to achieving a satisfactory balance between accommodating change and protecting valued and important aspects of the natural and built environment; and `the impact of development will be considered against the need to respect the long term welfare of the environment by making the most efficient use of land, energy and other resources;. Given the residential nature of the area surrounding the site, it is considered that its residential development offers a more effective and realistically achievable use of the land than its conversion to a recreational use. As such, the principle of the proposed residential development of the site is considered to be acceptable.

## SCALE, EXTERNAL APPEARANCE AND LAYOUT

Policy B2 of the UDP requires that the scale, massing, setting and layout of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

Numerous concerns have been voiced by neighbouring residents to this regard, in particular the relationship between the proposed dwellings, which would be semi-detached providing 3no. floors (including that in the roof space) and the existing dwellings within Barton Park, all of which are two-storey, detached properties. Whilst it is appreciated that the proposed dwellings would not be of the same type as those within Barton Park (i.e. semi-detached as opposed to detached), from which the site would be accessed, it must be noted that the dwellings within Barton Park are varied in design and are of differing heights, so there is no established building pattern or single scale of accommodation or design concept within the estate. In addition, there is a terrace of 3no. properties to the south of the site and a pair of semi-detached dwellings to the east of this terrace, so there exists examples of various house types locally. Whilst several residents have described the proposed dwellings as three-storey buildings, they would only appear as being two-storeys in height, given that one of the floors would be incorporated in the roof space of each dwelling.

The proposed dwellings are considered to be of an appropriate design in this instance in terms of their scale and external appearance and, due to their siting, would not appear unduly obtrusive when viewed from Barton Park or the rear alleyway of Tunstall Terrace. The position of the pair of semis would be staggered, which is a feature of Barton Park, and the proposed fenestration would provide a positive degree of symmetry between the properties. The proposed dormers would be situated to the rear and the previously proposed roof has been lowered by approximately 760mm, which is considered to be far more proportionate to the remainder of the dwellings as that previously proposed. In order to ensure that the proposed dwellings are finished to an acceptable standard, it is recommended that a condition be imposed, should Members be minded to approve the application, requiring samples of all external materials to be submitted and approved by the LPA prior to the commencement of the development.

Upon compliance with such a condition, the scale, external appearance and layout of the proposed dwellings is considered to be acceptable, in accordance with the requirements of policy B2 of the adopted UDP.

## CONCLUSION

Whilst it is considered that the issues regarding the principle of the proposed development and the scale, external appearance and layout of the dwellings have been satisfactorily addressed, it has been verbally agreed to extend the deadline for receipt of representations until 28 September 2009. In addition, in order to properly assess the impact of the proposal on the amenities of neighbouring residents, in particular those of the properties on Barton Park which adjoin the site to the north, additional information has been requested from the agent, acting on behalf of the applicant, namely plans showing spot heights of the site and the adjacent plots as well as sections of the proposed development which indicate the difference in site levels.

As such, further consideration is being given to the matter of residential amenity, as well as the highway implications of the proposal and any potential impact upon existing trees and local wildlife given that such matters were also of particular concern to local residents according to the letters of representation. It is anticipated that such issues will be reported on a supplement to this report, together with any representations received in the intervening period and a recommendation on the application.

**RECOMMENDATION: Dir.of Dev. and Regeneration to Report**



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**Reference No.:** 09/01969/SUB Resubmission

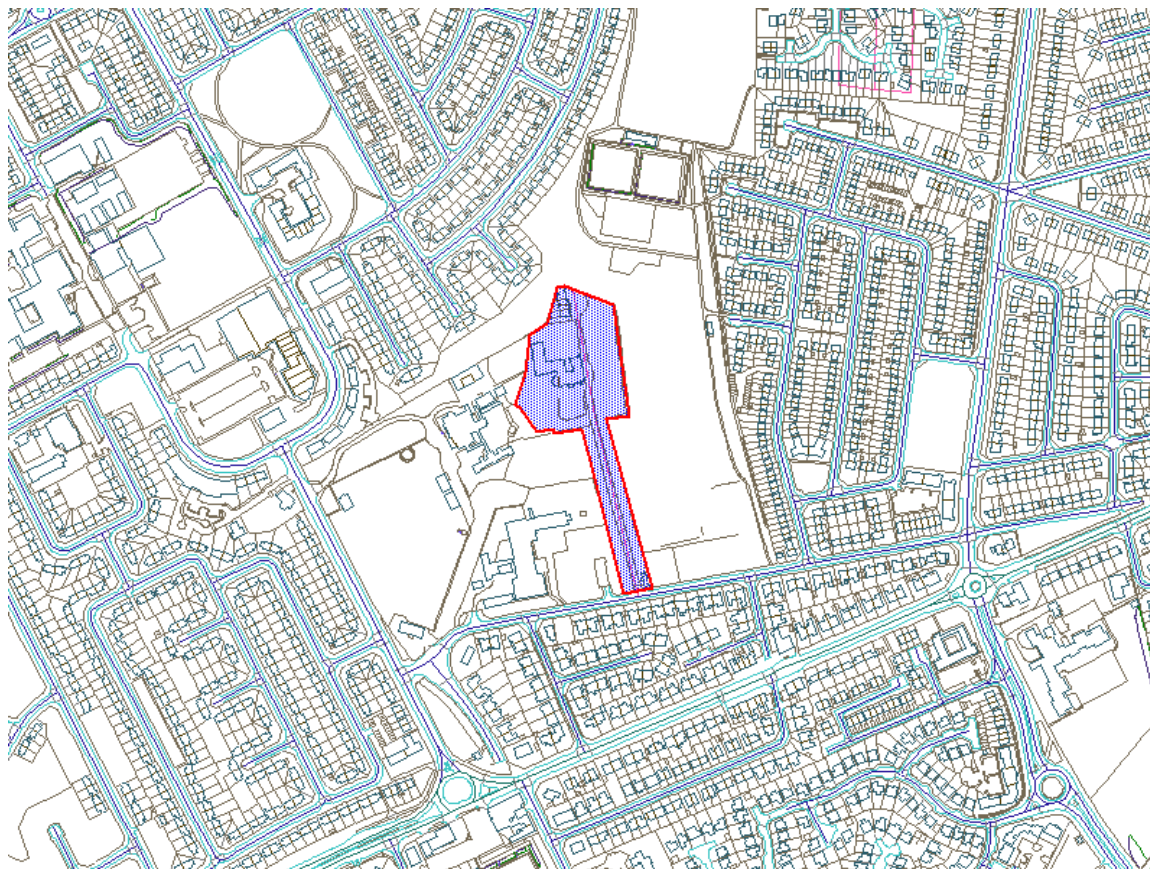
**Proposal:** Demolition of existing cottages and erection of a brain therapy unit with respite care facilities unit.

**Location:** Sycamore Lodge Nookside Sunderland SR4 8PQ

**Ward:** St Annes  
**Applicant:** Mrs Linda Wrouth  
**Date Valid:** 12 August 2009  
**Target Date:** 7 October 2009

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### Location Plan



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### PROPOSAL:

Planning permission is sought for the erection of a two storey respite care facility and single storey brain therapy unit with associated parking and landscaping situated within the grounds of Sycamore Lodge.

## Aim of the Development

The overarching objective of the scheme is to create a much needed facility to deliver rehabilitation therapy for people who have suffered brain injuries.

### Respite Care Unit

The two storey respite care facility which is proposed to be situated towards the northernmost end of the site would have an irregular footprint and measure approximately 17.2m along the main eastern elevation before the building splays off at an angle towards the eastern boundary to create an additional 6.6m which includes a single storey flat roof projection to the day room with a further 2m provided within a recessed area set back 5.9m from the main eastern elevation. The western / rear elevation of this element of the proposal follows the western boundary from the northernmost corner of the site for 9m before further splaying away from the boundary and then returning into the proposed garden area. In total the proposed western elevation extends for approximately 29.6m when measured from the northernmost corner to the southernmost corner of the building. A single storey flat roof dining room is proposed to project out beyond the west / rear elevation. The northern elevation will again follow the line of the north-eastern boundary and extend for 11.8m whilst the southern boundary will measure 10.4m.

The building will be of a pitched roof design with half dormer projecting features above three of the bedrooms and extend down onto the flat roof dining area situated within western elevation. The height of the building is proposed to be 5.3m to eaves and 8.7m to ridge. Windows are proposed to all habitable rooms and have been sensitively positioned so as to ensure each bedroom has an acceptable level of outlook.

Internally, the proposed respite care facility will house 10 en-suite bedrooms (4no. bedrooms at ground floor and 6no. bedrooms at first floor) with a dining room, day room and staff room also proposed at ground floor with an additional dayroom, staff room and bathroom at first floor level. An emergency external refuse balcony is proposed towards the southern end of the building leading down from the first floor to ground floor. The main entrance to the building is via an entrance lobby situated within the eastern elevation. The internal floor area to be created as a result of the development will be 541.5m.sq.

Externally, an enclosed landscaped garden area is proposed to the south-west corner of the building with additional amenity space available to residents within the grounds of Sycamore Lodge.

### Brain Therapy Unit

The single storey brain therapy unit is proposed to be situated on the site of one of the previously approved disabled bungalows, which was granted consent in 2006 but only part of the scheme was implemented. The single storey unit will measure 10.85m along the northern elevation, 28.1m along the eastern elevation, 10.9m along the southern elevation and 27.9m along the western elevation. The unit will accommodate a dining / classroom, kitchen, 3no. consulting rooms, staff room & WC, treatment room, therapy gymnasium, two changing rooms and therapy pool. Entrance to the unit is proposed via the south-west corner. The roof design above all but the therapy gymnasium is proposed to

be flat roof, however for functional reasons the gymnasium requires an increased ceiling height and hence a pitched roof is proposed above this part of the unit.

### Parking

Parking is proposed to serve both elements of the development. With regards to the respite care unit 9no.spaces and a turning head are proposed to the front of the building along with 1no. drop off zone whilst 8no. spaces which will serve the brain therapy unit are proposed beyond the south elevation of the building. Both parking areas will be served off the existing access road.

### Boundary Treatment

Given the siting of both elements of the scheme only very limited boundary treatment is required as part of this proposal. The area where new boundary treatment is proposed relates solely to the north-west boundary where a 1.8m high close boarded timber fence and 1.8m high metal palisade fence is proposed.

### Trees

The trees are afforded protection by way of a tree preservation order (TPO) 105. The proposal would result in the loss of 4no. individual trees, a group of trees known as Group 2 and part of the privet hedge situated along the northern boundary. The loss of the trees and hedge is required in order to facilitate the development currently being proposed. A detailed arboricultural implications assessment accompanies the application.

### Submitted Information

The application is accompanied by a Design & Access Statement, Site Waste Management Plan, Bat & Barn Owl Survey, Geo-environmental and Arboricultural Implication Assessment.

### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

### **CONSULTEES:**

Durham Bat Group  
Director Of Community And Cultural Services  
Health, Housing And Adult Services

Final Date for Receipt of Representations: **09.09.2009**

## **REPRESENTATIONS:**

### Adult Services

No objection to the proposal.

### Natural England

See main agenda.

### Third Party

No third party representation has been received.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

B\_2\_Scale, massing layout and setting of new developments

CN\_18\_Promotion of nature conservation (general)

CN\_22\_Developments affecting protected wildlife species and habitats

EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood

T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

## **COMMENTS:**

The main issues to consider in the assessment of this application are:-

1. The principle of the development in land use policy terms,
2. The acceptability of the loss of the existing cottages,
3. The acceptability of the proposed siting, scale and design of the proposed buildings,
4. The impact of the development upon the tree cover, having regard to the existence of a Tree Preservation Order, and
5. The highway considerations, including the effect of the proposal on the local highway network.

## **RELEVANT PLANNING HISTORY**

06/00825/FUL: Erection of a 2 storey 52.no bed care home to the rear of the existing nursing home and creation of 2no. disabled bungalows to the south with associated access, parking and landscaping. Approved.

07/02328/FUL: Creation of new access road to serve care home. Approved.

## **SITE**

The total area of the site extends 1.38 hectares, and consists of a Lodge set within a garden area with a terrace of traditional cottages to the north and recently constructed bungalow to the south-west of the existing care home. The site is extensively covered by a range of trees of various species, ages and condition. The trees are a prominent and important characteristic of the site and

are covered by a Tree Preservation Order. A large lawned area is situated to the east of the Lodge, lined by trees on all sides.

There are no buildings immediately adjacent to the site. Sycamore Lodge is a substantial, typical Edwardian property set in extensive grounds, albeit a property which is no longer used as a single residential dwelling.

The property has been extended in the past in association with its use as a residential care home, both to the side and rear. Permission was sought in 2003 and 2004 for extensions to provide a freestanding 44no. bed nursing home. The earlier submission was withdrawn, whilst the resubmission was refused due to concerns over the impact of the development on the trees within the site. These concerns related not only to the direct impact of the development but also to the likely pressures for maintenance in the future. The two consents as referred to in the above section were concerned with, in the case of the 2006 application, the erection of a 2 storey care home to the rear of the existing nursing home along with the erection of 2no. disabled bungalows (one to the south-west and one to the south-east of the existing care home, however only the bungalow to the south-west has been erected) whilst the 2007 application was required in order to provide suitable access arrangement to serve the proposed care home and bungalow development in the event that the access road approved as part of the Grindon Hall Christian School site development did not come forward within a reasonable timescale.

## LAND USE POLICY

There are no site specific policies within the UDP covering this site and as such policy EN10 applies. Policy EN10 states that where the plan does not indicate any proposals for change, the existing pattern of land use is intended to remain, proposals for development will need to be compatible with the principal use of the neighbourhood. The proposed use of the site for nursing/care purposes is therefore considered to be acceptable.

## LOSS OF THE COTTAGES

The following justification for the demolition of the cottages has been provided by the applicant.

Historical Significance and Present Day Use - Whilst it is acknowledged that the cottages were originally built to serve the main house, Nookside, their function as residential accommodation has long since disappeared given the use of the site now as a residential care home. Neither the existing house or cottages are afforded any statutory protection either by way of Conservation Area status or listing and as such the buildings could be demolished by way of a demolition notice. Further it is considered that the cottages are too remotely located to serve as private residential dwellings which would require access to the site by the general public which would compromise the level of privacy and security required by the care home.

Suitability to Convert the Cottages into a Respite Care Unit - During pre-application discussions the applicant was asked to investigate the possibility of converting the existing cottages to provide the required facility. Such an investigation was undertaken and the findings are detailed below.

The existing plan and layout of the cottages and their former construction is entirely unsuitable for conversion into a bespoke, high specification respite care facility. The respite care facility as currently proposed is subject to a detailed design brief which sets out minimum requirements in terms of room sizes and building standards (walls, windows, roof insulation, lift installation, service requirements, fire escapes etc) which cannot be accommodated in the existing buildings. As a result the applicant considers that there is no alternative but to demolish the cottages to make way for the proposed development.

Conclusion - Having considered the justification put forward by the applicant it is considered that whilst regrettable the loss of the cottages is accepted.

## URBAN DESIGN

As stated above, it must be stated that it is regrettable that the cottages to the north of the site are to be demolished as a result of the proposed development given that they form an attractive historic group of dwellings. However, on balance it is considered that given the cottages are not afforded any statutory protection and due to the fact that they are unable to be suitably adapted to current standards their loss is accepted in this instance.

UDP policy B2 states that the scale, massing, layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy. Large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas.

## Respite Care Facility

Following the pre-application discussions that have taken place a number of the design concerns have been largely addressed in the current submission, namely the scale, design and amenity for individuals residing in the facility. Furthermore, the revisions made to the dining room element of the building are a welcomed improvement and serve to add architectural interest where previously a monotonous offshoot was proposed.

Residential Amenity - With regards to the impact of the proposed respite care facility upon the residential amenity of the adjacent building, which is an extension to the existing care home approved in 2006, it is considered that whilst the development fails to adhere to the minimum spacing guidelines in relation to residential dwellings, notably 14m where main facing windows overlook a gable elevation, given that the building will replace the existing cottages albeit 2m closer (6m away as opposed to 8m away) and the presence of a 3m high boundary wall along the northern boundary of the existing care home it is not considered that any resulting impact on the existing home would be so significant that refusal of the application would be warranted. Furthermore, whilst French doors and associated windows are proposed within the southern elevation of the respite facility at ground floor level it is considered that these will be suitably screened by the presence of the existing 3m high wall which segregates the two buildings. In addition, there are no habitable windows proposed within the southern elevation of this building at first floor level. As a consequence it is considered that the proposed two storey development will not only create acceptable levels of amenity for the future occupants of the building

but also retain acceptable levels of amenity for those currently residing in the care home.

Amenity Space - Section 5 of the Supplementary Planning Guidance (SPG) requires residential care homes to provide amenity space at a ratio of 10sq.metres per bed space. With regard to this policy what should first be highlighted is the fact that the proposal is not a care home for the elderly, rather it will serve as a temporary form of accommodation for individuals who have suffered disablement as a result of a serious accident. Notwithstanding this fact it is considered that the proposed sheltered garden area along with the existing landscaped garden area to the east will cumulatively provide sufficient secure amenity space for the development currently being proposed.

As such this element of the proposal is considered to represent an acceptable form of development that does not adversely impact on the character of the site or the adjacent buildings. Whilst the proposal may not be of the highest design quality given its discrete location to the rear of the site behind the existing care home and intended function it is considered that on balance the proposal makes a neutral impact on the existing buildings and as such is considered to be acceptable. In this regard the proposal is considered to accord with the broad principles of policy B2.

Note: It is recognised that the site has now reached its capacity in terms of built form and it is therefore unlikely that any future development would be appropriate on this site.

#### Brain Therapy Unit

It is apparent from the comments made at the pre-application stage that the applicant has attempted to create a building which complements but is nonetheless subservient to the main care home building of Nookside.

Generally the layout and massing of the proposed brain therapy unit is considered to be acceptable although it is felt that further architectural interest could have been added to the frontage. Notwithstanding this fact it is considered that on balance given the requirements of the building owing to its use as a therapy unit and the location of the proposed building well within the confines of the site, the design is acceptable in this instance. Furthermore, it is considered that through the use of alternative materials to those currently proposed the architectural interest that the building presently lacks could be achieved. In this regard it is considered that a suitably worded condition requiring amendments to be made to the materials currently being proposed be imposed on any grant of consent.

Residential Amenity - By virtue of the proposed siting and scale of the brain therapy unit it is not considered that the proposal will have any adverse impact on the residential amenity of existing residents, namely those who reside in Nookside. Furthermore, given that this building proposes no form of residential accommodation then it is not considered that Section 5 of the SPG is applicable.

In conclusion, it is considered that the proposed brain therapy unit is an acceptable form of development that accords with the principles of policy B2.

## HIGHWAYS

UDP policy T14 states that for new developments proposals should be readily accessible by pedestrians and cyclists as well as users of public and private transport, not cause traffic congestion or highway safety problems on existing roads, make appropriate safe provision for access and egress, make provision for the loading and unloading of commercial vehicles and indicate how parking requirements will be accommodated.

The development proposes to create 8no. parking spaces to south of the proposed therapy unit with 9no. spaces and a drop off zone proposed to the east of the brain therapy unit. Both parking areas will be served off the existing access road.

With regard to the above policy and the proposed development it is considered that the proposal is in full accordance with policy T14 of the UDP.

## ECOLOGY

The application is accompanied by a Bat and Barn Owl Survey for the Three Terraced Cottages at Sycamore Lodge, Grindon, Sunderland. The report was conducted in June 2008.

With regard to ecological and wildlife issues policies CN18 and CN22 are applicable. Policy CN18 states that the promotion of the interests of nature conservation will be sought throughout the City. The Council will seek to work with neighbouring authorities and other agencies with regards to aspects affecting the wider area. Areas of nature conservation interest, particularly those of national importance, will be protected and enhanced, such measures will include amongst other things:- encouraging landowners and occupiers to adopt management regimes sympathetic to nature conservation, make provision within development proposals for the preservation of habitats and / or creation of compensatory habitats, seek opportunities in development proposals or other schemes for new habitat creation on both public and private land and refuse inappropriate development. In addition, policy CN22 states that development which would adversely affect any animal or plant species afforded special protection by law, or its habitat, either directly or indirectly, will not be permitted unless mitigating action is achievable through the use of planning conditions, and where appropriate, planning obligations, and the overall effect will not be detrimental to the species and the overall bio-diversity of the City.

Following consultation with Natural England it is considered that in light of the findings as documented in the above report, the proposal is unlikely to have an adverse effect on species afforded special protection by law. As such it is recommended that a condition relating to the mitigation measures as detailed in the report be imposed on any grant of consent.

In addition, Natural England also advise that an informative should be imposed on any grant of consent that advises the developer that they may need to obtain a licence from Natural England in respect of the proposed works prior to any development commencing.



Having considered the Bat and Barn Owl Survey and in light of the advice provided by Natural England it is considered that the proposal accords with policy CN18 and CN22 of the UDP.

## TREES

The application is supported by an Arboricultural Implication Assessment of Trees at Sycamore Lodge. The survey was undertaken on Thursday 14 August 2008.

The proposed development will require the removal of 4no. existing trees (No's 9C, 11C 13B & 44C) , the trees which form part of Group 2 (situated along the north-west boundary) and a section of privet hedge (situated along the northern boundary of the site). Trees 9C - Elderberry, 11C - Beech and 44C - Ash have all been surveyed and are considered to be of low/poor quality, as such the proposed removal of these three trees poses no significant concerns.

With regards to tree 13B - Sycamore, which is described as being of moderate quality, it is felt that it would be desirable for this tree to be retained given its size, location and condition. However, the position of this tree conflicts with the proposed position for the car park which is to serve the therapy unit and therefore a balanced view needs to be taken as to whether or not the retention of this tree outweighs the justification for its removal to facilitate the development. British Standard BS 5837:2005 'Trees in relation to construction' recognises that the competing needs of development mean that trees are only one factor to be taken into account when considering an proposal for planning permission. In this regard whilst it is considered desirable to retain tree 13B it is felt that in this instance the loss of tree 13B could be accepted given that the tree is of a moderate and not high quality, with a number of high quality trees proposed to be retained in close proximity to the subject tree.

Group 2 trees which are situated towards the north-western boundary of the site comprise of hawthorn and sycamore species at a height of approximately 8m. The trees in this group are considered to be of low quality and their removal is required in order to facilitate the erection of the two storey brain therapy unit. As such given the reported low value afforded to this group of trees it is considered acceptable in this instance to permit their removal.

Finally, with regards to the privet hedge which is positioned along the northern boundary of the application site it is considered that the removal of the northernmost section of the hedge required to facilitate the construction of the turning head is acceptable given that the hedge is of a moderate and not high quality, with a section of the hedge to remain.

Group 1 trees which are situated along the eastern boundary of the site are not proposed to be affected, however to ensure that the trees and their root systems are not adversely affected as a result of the proposed development suitable means of protection will be required to be installed prior to any works, including demolition, commencing on site. Details of such measures are included within the Arboricultural report and will be enforced by way of condition should consent be granted.

## ENVIRONMENTAL HEALTH

There are no fundamental concerns in relation to the proposed development and it is advised that a series of conditions relating to hours of working, selection of machinery, means of minimising noise emissions, prevention of dust generation and land contamination be imposed on any grant of consent.

## CONCLUSION

In conclusion it is considered that the proposed erection of a two storey respite care facility and single storey brain therapy unit with associated parking and landscaping is acceptable and as such Members are therefore recommended to grant planning permission subject to the conditions set out below.

## **RECOMMENDATION: Approve**

### **Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy EN5 of the UDP.
- 3 Before the development hereby approved is commenced details of the means of demolition shall be submitted to and approved by the Local Planning Authority. All works shall be carried out in accordance with the agreed details in order to protect the amenities of the area and to comply with policy EN5 of the UDP.
- 4 No deliveries shall be taken at or despatched from the site outside the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 Saturdays nor at any time on Sundays, Bank or Public Holidays to ensure that nearby properties are not adversely affected by the development and that highway safety is not compromised and to comply with policy EC12, EC13 of the UDP.
- 5 No development shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the local planning authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in

writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.

- 6 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 7 Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the local planning authority for approval, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 8 Prior to any works commencing on site, including demolition, detailed plans which include a survey of existing and proposed ground level sections across the site and details of the finished slab levels of each building shall be submitted to and approved in writing by the Local Planning Authority, in order to achieve a satisfactory form of development in accordance with policy B2 of the UDP.
- 9 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until revised plans and a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 10 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 12 Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before

occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.

- 13 No tree shown to be retained on the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 "Tree Work", in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 14 If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 15 The erection of fencing for the protection of any retained trees shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 16 Before the development commences a method statement shall be submitted to the Local Planning Authority detailing the method of construction for any works to be undertaken within the crown spread of any trees on the site. Such details to include methods of excavation. All works shall be carried out in accordance with the agreed details in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 17 No trees shall be felled without the prior consent of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 18 Before the trees which are the subject of this application are felled, details of the location, size and species of the replacement planting shall be submitted to and agreed with the Local Planning Authority along with a timescale for the replanting, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 19 If within a period of two years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation, in the interests of visual amenity and to comply with policy CN17 of the UDP.

- 20 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
- 21 Before the development, hereby permitted, is commenced a plan showing the provision of adequate facilities for the storage of refuse within the site shall be submitted to and approved by the Local Planning Authority, and shall be so installed and maintained thereafter in order to ensure a satisfactory form of development and to comply with policy EN1 of the UDP.
- 22 Details of the proposed location of the site office and construction compound shall be submitted to and approved in writing by the local planning authority in order to ensure a satisfactory form of development and to comply with policy B2 of the UDP.
- 23 No development shall take place unless in complete accordance with the mitigation measures detailed within the protected species report titled 'Bat and Barn Owl Survey for Three Terraced Cottages at Sycamore Lodge, Grindon, Sunderland', including but not restricted to, adherence to precautionary working methods as outlined in the section headed 'Method Statement - Three Terraced Cottages in the Grounds of Sycamore Lodge, to conserve protected species and their habitat and to ensure a satisfactory form of development and to comply with policies CN18 and CN22 of the UDP.
- 24 Prior to the commencement of development, copies of the 'Bat and Barn Owl Survey for Three Terraced Cottages at Sycamore Lodge, Grindon, Sunderland' shall be formulated into a method statement and issued to the developer and building contractors working on site. All works shall be carried out entirely in accordance with the method statement in the interests of nature conservation and to ensure a satisfactory form of development and to comply with policies CN18 and CN22 of the UDP.

**Reference No.:** 09/02070/FUL Full Application

**Proposal:** **Erection of care home with associated access.**

**Location:** Site of Former Ford and Hylton Lane Social Club Poole Road Pennywell Sunderland

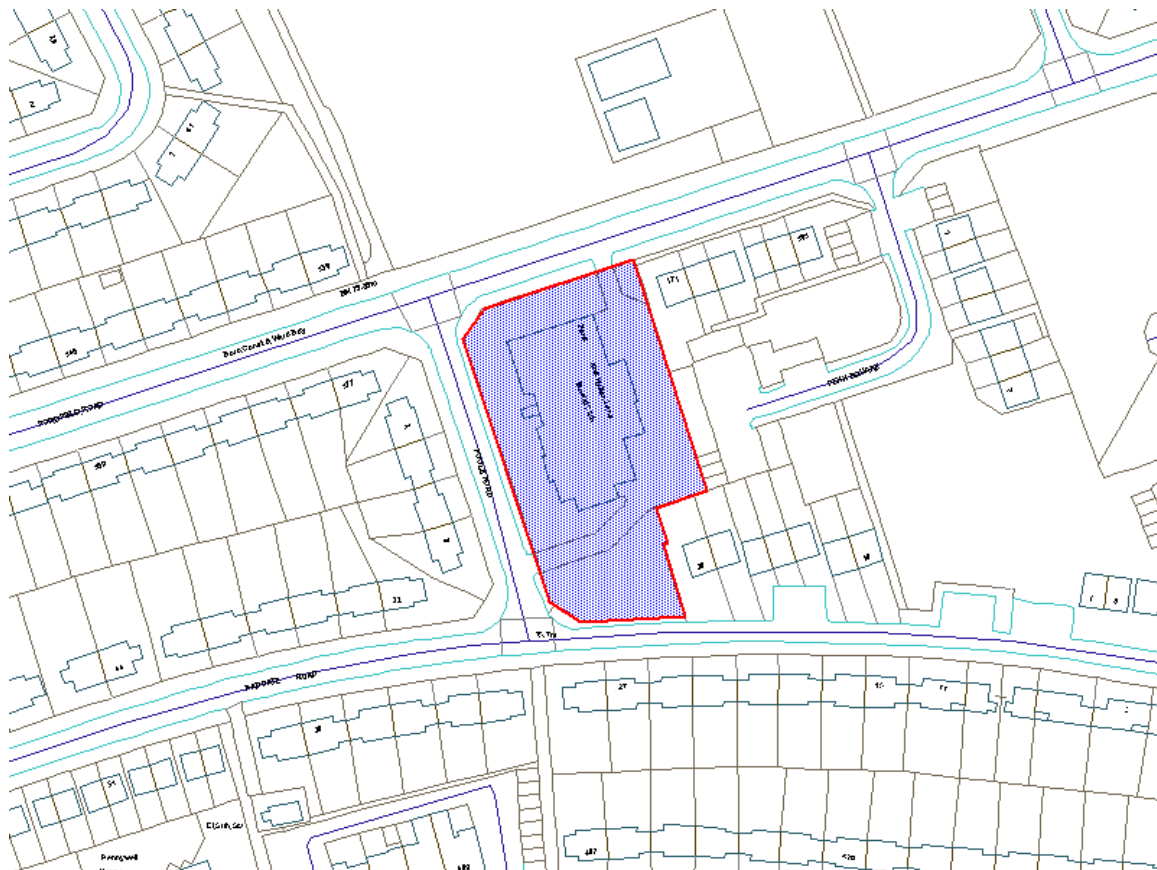
**Ward:** Pallion

**Applicant:** Roker (Property) Developments LTD

**Date Valid:** 28 July 2009

**Target Date:** 22 September 2009

### Location Plan



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### PROPOSAL:

Planning permission is sought for the erection of a 2no.storey residential care home with associated parking, access and landscaping. The building would take the form of a 'T' shaped structure, which would be erected centrally within the site with two symmetrical elements proposed at either side of the northern elevation. A total of 68no.en-suite bedrooms are proposed within the building covering an area of 2480m<sup>2</sup>.

The application site covers an area of 0.3 hectares and falls 1.5m from north to south.

The proposed care home will measure 41m along its northern elevation, 62.6m along the east elevation, 41m along the south elevation and finally 62.6m along the west elevation. The proposed building will be largely of a pitched roof design and measure 5.4m to eaves and 9.9m to ridge.

Parking & Access - Access is proposed off Poole Road with 16no.car parking spaces, 2no.of which are proposed disabled bays, situated directly opposite the western elevation. Sheffield style cycle racks are proposed beyond the southern elevation of the proposed building.

Landscaping - A number of semi-mature trees are proposed within the curtilage of the site along with small parcels of landscaping.

Boundary Enclosures - A range of means of boundary enclosure are proposed around the periphery of the site, these include 1800mm high timber fence to be erected along part of the eastern boundary, 1200mm high decorative metal fencing to be erected on top of the existing 600mm high brick wall to the south and west boundaries. The proposal also intends to retain the existing 1800mm high timber fence, 1800mm metal palisade fence and 2400mm high brick wall situated along the eastern boundary.

The application is accompanied by a Design and Access Statement, Transport Statement, Sustainability Assessment, Travel Plan, Statement of Community Involvement, Environmental Assessment and Utilities Assessment.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

#### **CONSULTEES:**

Director Of Community And Cultural Services

Northumbrian Water

Northern Electric

UK Gas Business

Health, Housing And Adult Services

**Final Date for Receipt of Representations: 25.08.2009**

## **REPRESENTATIONS:**

### Adult Services

The proposed development is not supported as it is considered that there is already substantial provision in this area and as a result this development would adversely affect other similar development in the area.

### Third Party

None received.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

H\_17\_Nursing and rest homes to respect amenity / established local character  
B\_2\_Scale, massing layout and setting of new developments  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments  
EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood

## **COMMENTS:**

The main issues to be considered in determining this application are:-

- 1) Principle of the Development.
- 2) Layout, siting and design of the building.
- 3) Creation of acceptable levels of residential amenity.
- 4) Impact on Residential & Street Scene.
- 5) Highway Issues.

## **PRINCIPLE OF THE DEVELOPMENT**

The site in question is not allocated for any specific land use within the Council's Unitary Development Plan and, as such, is subject to policy EN10. This policy dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain.

In addition to the above, policy H17 of the UDP indicates that the provision of nursing homes and other residential accommodation for people in need of care by the construction of buildings and conversion of large units in their own grounds will normally be approved, provided they are not detrimental to general amenity and the established character of the locality.

In this regard, it is considered that so far as it relates to a new building to serve as a care home, the proposal accords with the provisions of UDP policy EN10 and subject to satisfactory levels of amenity being maintained within the surrounding area, the proposal could accord with policy H17.



## OUTSTANDING ISSUES

Issues relating to the siting, layout and design of the proposed care home along with residential amenity, access arrangements and parking provision are still under consideration and it is anticipated that a recommendation will be made on a supplement report to the main agenda.

**RECOMMENDATION: Dir.of Dev. and Regeneration to Report**

4.

South  
Sunderland

Reference No.: 09/02501/LAP Development by City(Regulation 3)

**Proposal:** Change of use of vacant industrial estate incorporating 8no units as a grounds maintenance depot, to include new roller shutter doors, windows, CCTV cameras and new access gate.

**Location:** Unit 1-8 Rheims Court Pallion West Industrial Estate  
Sunderland

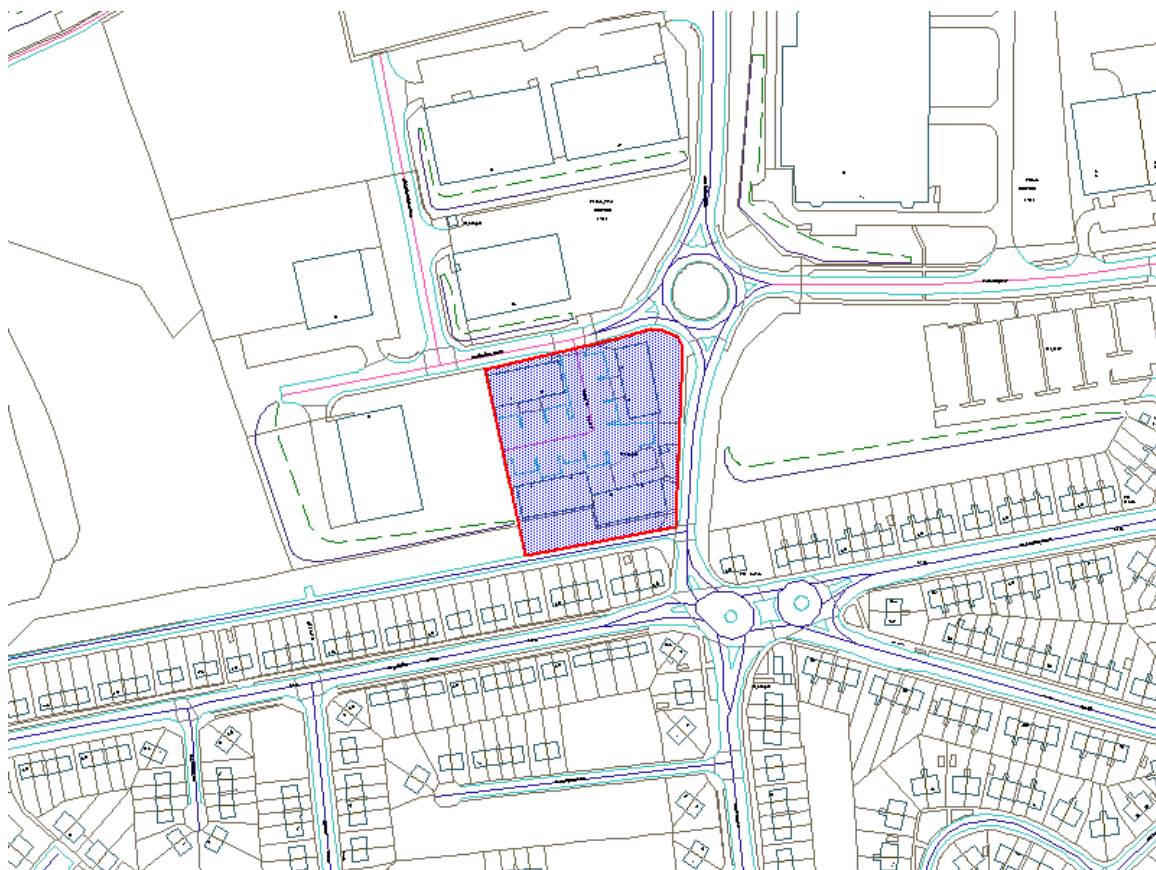
**Ward:** Pallion

**Applicant:** Community And Cultural Services

**Date Valid:** 20 July 2009

**Target Date:** 14 September 2009

#### Location Plan



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## **PROPOSAL:**

The proposal relates to a change of use of 8 vacant industrial estate units to a grounds maintenance depot, to include new roller shutter doors, windows, CCTV cameras and new access gate.

The proposal is sited off Brussels Road to the rear of St. Lukes Road.

The key purpose of the proposed depot facility is to facilitate the relocation of the Grounds Maintenance functions presently sited at Barnes and Thompson Road parks.

The proposed relocation of the Grounds Maintenance functions will improve the efficiency of this Council service whilst improving the amenity of the Parks in which they are presently sited.

The works proposed are generally of a modification and repair nature; with the exception of those to Unit number 4, which is to be remodelled so as to provide administrative facilities and will comprise an office, meeting room, mess facilities and sanitary accommodation.

The external building fabric is to be repaired and replaced as necessary including the provision of new roller shutters, doors and windows; whilst those existing fire exit doors and adjacent windows no longer required are to be removed and bricked up, in order to improve levels of building security.

External security is to be maintained by the provision of an automated steel security gate, to the northern site perimeter, including extending the existing steel palisade fencing in this location.

CCTV coverage is proposed for the site, with a 6.000m high column mounted camera and cameras mounted to the building facades, with precise locations to be confirmed prior to works commencement.

External site works are to comprise repairs to the existing bitmac surfacing and the provision of health & safety related markings, including the demarcation of pedestrian

## **TYPE OF PUBLICITY:**

Site Notice Posted

## **CONSULTEES:**

ARC  
Director Of Community And Cultural Services

Final Date for Receipt of Representations: **13.08.2009**

## **REPRESENTATIONS:**

### Neighbours

No objections have been received to the proposal.

### Highways

The highway engineer has requested that visibility splays should be cleared of overgrown shrubs and vegetation, so as to ensure clear visibility and accessibility of the footpath.

The security gate should be located a minimum of 15 metres from the junction, in order to allow vehicles to turn off Brussels Road whilst the gate opens. In order to achieve this the applicant may wish to consider locating the gate south of the first four parking spaces (P9 to P12) and allocating these as visitor spaces outside of the secure area.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

B\_2\_Scale, massing layout and setting of new developments

SA\_1\_Retention and improvement of existing employment site

T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

## **COMMENTS:**

The main issues to consider in determining this application are:-

1. The principle of the use of the site.
2. The design of the alterations.
3. Highway issues.

### LAND USE.

The site is allocated for industrial use under policy SA1.6 of the adopted UDP. The proposed use as a maintenance depot is thus considered acceptable in land use terms.

### DESIGN.

Works to the units are generally repair and replacement of the existing fabric with some bricking up of windows and the installation of new upvc windows and doors and colour coated security roller shutters. These works are considered acceptable subject to the use of materials to match the existing buildings; this will be controlled by way of a planning condition.

### HIGHWAY ISSUES.

The proposal is considered acceptable in highway terms subject to the improvements to visibility splays and the setting back off the highway of the gates

to prevent queuing on the highway as requested above by the highway engineer; these matters can also be controlled by condition.

## **CONCLUSION.**

The proposal is considered acceptable and Members are recommended to approve the proposal subject to the following conditions relating to materials, visibility splays and the setting back of the access gates.

## **RECOMMENDATION: Approve**

### **Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Notwithstanding any indication of materials which may have been given in the application; the external materials to be used, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 3 Before the development hereby approved is commenced the details of the visibility splays on each side of the proposed access shall be submitted to and agreed in writing with the Local Planning Authority. All works shall be carried out in accordance with the agreed details in the interests of highway safety and to comply with policy T14 of the UDP.
- 4 Before the development hereby approved commences, details of the main vehicle access servicing the premises shall be submitted to and approved by the Local Planning Authority. Such facilities shall be provided in accordance with the agreed details and such facilities shall be retained and kept unobstructed at all times, in the interests of highway safety and to comply with policy T14 of the UDP.

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**Reference No.:** 09/02913/SUB Full Application

**Proposal:** **Redevelopment and extension to existing store, service area and adjacent retail units with associated works to car park and landscaping (RESUBMISSION).**

**Location:** J Sainsbury's Plc, Silksworth, Sunderland

**Ward:** Silksworth

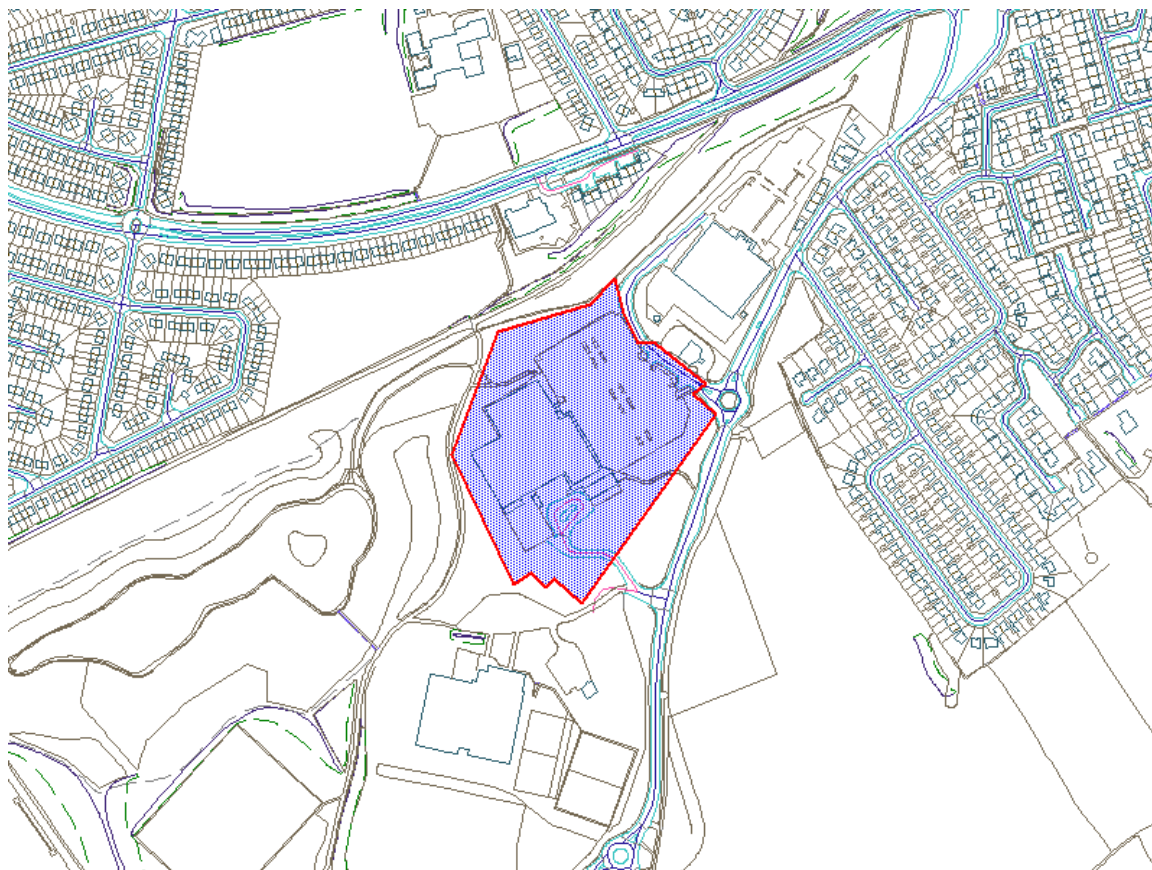
**Applicant:** Sainsbury's Supermarkets Limited

**Date Valid:** 3 August 2009

**Target Date:** 28 September 2009

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### Location Plan



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### PROPOSAL:

Members may recall that this proposal was submitted for consideration in April of this year. However, following the receipt of a late objection from the Council's Countryside team the application was withdrawn until such time that the additional survey work and assessments had been carried out.

The proposal currently under consideration relates to an extension to the existing store which will increase the gross external area from 7,332sq.m to 11,484sq.m and the gross internal retail area from 4,301sq.m to 7,616sq.m. The net sales area will increase by 3,098 sq.m to 7,013 sq.m. The increase is made up of 791 sq.m convenience and 2,307 sq.m comparison goods.

A new Direction has recently been issued by Central Government, which came into force on 20 April 2009. This replaced a number of previous Directions covering retail 'shopping' development, development on playing fields, development within the green belt and development in flood risk areas. Under the new Direction, depending upon their size and other caveats, these types of development require consultation with the Secretary of State, if the Local Planning Authority is minded to grant permission. However, in the case of retail/shopping development the proposal has to meet one of a number of size thresholds, which in the case of the current proposal it does, and not accord with one or more provisions of the development plan in force at the time.

In this regard it is not considered that the proposal meets the criteria for referral to the Secretary of State as set out in the Town and Country Planning (Consultation) (England) Direction 2009 owing to the fact that the application is proposed on 'white' land in the UDP and as such the proposal accords with the saved policies of the development plan and it does not conflict with any of the relevant policies contained within the Regional Spatial Strategy (RSS).

The main store extension proposals relate to two areas of the store and together, with other internal re-arrangements, the extensions will increase the sales area, provide a straight shop frontage and relocate the ATM's. A new enclosed customer entrance lobby will also be created below the existing entrance gable.

#### 1. South Extension

The existing customer café, pedestrian covered walkway and independent retail units to the south of the existing store will be replaced by an extension to provide increased sales and bulkstock with a new customer café and WC's. The customer café will be located at first floor level, towards the south-east corner of the store, next to the customer entrance and directly above the customer toilets. Access to the first floor will be via a staircase and lift.

Two new independent retail units are also proposed. The units will be located in the far south-east corner of the store and face onto the customer car park.

#### 2. North-East Extension

The existing shop front will be extended forward by approximately 9.4m to provide a straight shop frontage, with a 4.2m projecting secure cash office and ATM room.

The extension will complete the straight shop front line, providing a more spacious internal environment, improved customer circulation and clearer retail offer.

### 3. Customer Entrance

The proposed new customer entrance lobby is to be created below the existing entrance gable and as such it is located in the same position as the current entrance, albeit 3.4m further forward, to provide consistency for regular users of the store.

### 4. General Layout Changes

A total of 478no. car parking spaces will be provided, including 24no. disabled customers and 18no. for parents with children.

The existing surface level car park is to be re-laid to improve circulation and to maximise parking numbers. This will be achieved by the extension of the car park to the south and the removal of the central circulation road.

Specialist parking bays will be located close to the new store entrance; 24no. disabled customers and 18no. for parents with children.

The recycling centre is proposed to be located within the customer car park.

New customer cycle parking will be introduced, close to the customer entrance lobby and under the shop front canopy.

The service yard and unloading bays are located to the rear of the store and will be accessed via Silksworth Lane, which is the present arrangement.

The existing petrol filling station will not be affected by the proposal.

The application is accompanied by a Design and Access Statement, Sustainability Statement, Extended Phase 1 Habitat Survey March 2009, Bat Survey July 2009, Water Vole Mitigation Strategy July 2009, Water Vole Survey July 2009, Landscape Appraisal May 2009, Summary of Consultation 31 July 2009, Flood Risk Assessment 24 July 2009, Economic Statement, Draft Site Waste Management Plan, Town Centre Uses Statement July 2009, Phase 1 Desk Study March 2009, Lighting Statement 20.02.09, Transport Assessment July 2009, Draft Travel Plan & Parking Provision Statement July 2009, and has been advertised accordingly by way of site, press and neighbour notification.

#### **TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

County Archaeologist  
Director Of Community And Cultural Services  
Environment Agency  
Northumbrian Water

**Final Date for Receipt of Representations: 03.09.2009**



## **REPRESENTATIONS:**

### Environment Agency

The development would only be considered to be acceptable if conditions relating to surface water drainage, risks associated with contamination, verification report/remediation strategy, details of any contamination previously not identified were to be imposed on any grant of consent.

### County Archaeologist

No comment.

NOTE: The above comments were made in respect of the previous application 09/01273/FUL, however it is considered that they remain applicable given the relatively short period of time that has lapsed between the two submissions and the fact that the current application is identical to that previously applied for and on which the comments were based. Should however any further or revised comments be made in either respect then these will be reported in a Supplement report to the main agenda.

### Third Party

7no letters of support and 2no. letters of objection have been received to date (justification for which will be contained in a Supplement report to the main agenda).

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

B\_2\_Scale, massing layout and setting of new developments  
SA\_1\_Retention and improvement of existing employment site  
B\_13\_Sites and monuments of local importance affected by development  
B\_14\_Development in areas of potential archaeological importance  
CN\_14\_Landscaping schemes and developments prominent from main transport routes  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments  
CN\_22\_Developments affecting protected wildlife species and habitats

## **COMMENTS:**

At the meeting of 8 September Members resolved to undertake a site visit, which is scheduled to take place on 2 October. As such it is anticipated that a detailed report and recommendation will be made on a supplement report to the main agenda.

**RECOMMENDATION: Dir.of Dev. and Regeneration to Report**